

RESOLUTION NO. 217465

JAN 11 1977

A RESOLUTION DETERMINING AND DECLARING THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY OF THE CITY OF SAN DIEGO REQUIRE THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A PUBLIC STREET AND INCIDENTS THERETO, TOGETHER WITH CERTAIN EARTH EXCAVATIONS, EMBANKMENTS, SLOPE OR SLOPES AND A STORM DRAIN OR DRAINS AND APPURTENANCES THERETO, IN PORTIONS OF SECTION 35, TOWNSHIP 18 SOUTH, RANGE 2 WEST, SAN BERNARDINO BASE AND MERIDIAN; PORTIONS OF LOTS A-177, A-178, A-179, A-180, A-181 AND A-182, SAN YSIDRO ADDITION NO. 2; PORTIONS OF LOTS A-211, A-217, A-218, A-219, A-220 AND A-221, SAN YSIDRO ADDITION NO. 4; PORTIONS OF LOTS A-1, A-2, A-3, A-4, A-5, A-81, A-82 AND A-85, SAN YSIDRO; AND PORTIONS OF LOTS A-79, A-80 AND A-81, LITTLE LANDERS SUBDIVISION OF SAN YSIDRO, ACCORDING TO UNITED STATES GOVERNMENT SURVEY, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA; AND THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY DEMAND THE ACQUISITION OF FEE TITLE AND EASEMENTS IN SAID PROPERTY FOR SAID PUBLIC STREET AND INCIDENTS THERETO, TOGETHER WITH CERTAIN EARTH EXCAVATIONS, EMBANKMENTS, SLOPE AND SLOPES AND A STORM DRAIN OR DRAINS AND APPURTENANCES THERETO; AND DECLARING THE INTENTION OF THE CITY OF SAN DIEGO TO ACQUIRE SAID PROPERTY AND EASEMENTS UNDER EMINENT DOMAIN PROCEEDINGS; AND DIRECTING THE CITY ATTORNEY OF THE CITY OF SAN DIEGO TO COMMENCE AN ACTION IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF SAN DIEGO, FOR THE PURPOSE OF CONDEMNING AND ACQUIRING SAID PROPERTY AND EASEMENTS.

WHEREAS, the Council of The City of San Diego has provided notice to those persons designated in Section 1245.235, Code of Civil Procedure and also has provided all persons a reasonable opportunity to appear and be heard on the matters referred to in Section 1240.030, Code of Civil Procedure; NOW, THEREFORE,

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BE IT RESOLVED, by the Council of The City of San Diego as follows:

Section 1. That the public interest, convenience and necessity of The City of San Diego, and the inhabitants thereof, require the construction, operation and maintenance of a public street and incidents thereto, together with certain earth excavations, embankments, slope or slopes and a storm drain or drains and appurtenances thereto in portions of Section 35, Township 18 South, Range 2 West, San Bernardino Base and Meridian; portions of Lots A-177, A-178, A-179, A-180, A-181 and A-182, San Ysidro Addition No. 2; portions of Lots A-211, A-217, A-218, A-219, A-220 and A-221 of San Ysidro Addition No. 4; portions of Lots A-1, A-2, A-3, A-4, A-5, A-81, A-82 and A-85 of San Ysidro; and portions of Lots A-79, A-80 and A-81, Little Landers Subdivision of San Ysidro, according to United States Government Survey, as more particularly described hereinafter.

Section 2. That the public interest, convenience and necessity of said City, and the inhabitants thereof, demand the acquisition and taking of fee title and easements in said property for the construction, operation and maintenance of a public street and incidents thereto, together with certain earth excavations, embankments, slope or slopes and a storm drain or drains and appurtenances thereto, and the taking of the surplusage in fee simple, said real property lying within the City of San Diego, County of San Diego, State of California.

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Section 3. That Section 220, the Charter of The City of San Diego; Sections 1240.010, 1240.110, 1240.120 and 1255.410, Code of Civil Procedure; Section 4090, Streets and Highways Code; Section 40404(b), Government Code; and Section 5301, Public Resources Code permit the acquisitions referenced herein.

Section 4. That the parcels of real property and the interests sought to be condemned are described as follows:

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PARCEL 1

That portion of the Southeast Quarter of the Northwest Quarter of Section 35, Township 18, South, Range 2 West, San Bernardino Base and Meridian, according to Official Plat thereof, described as follows:

Commencing at the Northwest corner of the Northeast Quarter of the Northwest Quarter of said Section 35; thence Southerly along the Westerly line of said Northeast Quarter of the Northwest Quarter of said Section 35; South $00^{\circ}39'53''$ West, 827.39 feet to the Northwesterly prolongation of the Northeasterly sideline of that strip of land 100.00 feet in width, described in deed to the San Diego and Arizona Railing Company, recorded July 7, 1909 in Book 472, Page 75 of Deeds in San Diego County; thence said prolongation South $52^{\circ}51'47''$ East, 161.88 feet; thence leaving said prolongation, North $37^{\circ}08'13''$ East, 60.00 feet; thence South $52^{\circ}51'54''$ East 755.95 feet to the TRUE POINT OF BEGINNING; thence continuing South $52^{\circ}51'54''$ East, 710.76 feet to the Easterly line of the Northwest Quarter of said Section 35; thence North $00^{\circ}00'11''$ East, 23.71 to point "A" of the description; thence North $52^{\circ}51'54''$ West, 673.05 feet to a point which bears South $89^{\circ}24'54''$ East from the TRUE POINT OF BEGINNING; thence North $89^{\circ}24'54''$ West, 30.22 feet to the TRUE POINT OF BEGINNING.

PARCEL 1A

The permanent easement and right-of-way for an earth excavation or embankment, slope or slopes and incidents thereto, through, over, under, upon, along and across all that real property described as follows:

That portion of the Southeast Quarter of the Northwest Quarter of Section 35, Township 18 South, Range 2 West, San Bernardino Base and Meridian, according to Official Plat thereof, described as follows:

Commencing at Point "A" of Parcel 1 herein above described; thence North $52^{\circ}51'54''$ West a distance of 82.93 feet to the TRUE POINT OF BEGINNING; thence North $37^{\circ}08'06''$ East 25.00 feet; thence North $52^{\circ}51'54''$ West, 60.00 feet; thence South $37^{\circ}08'06''$ West, 25.00 feet; thence South $52^{\circ}51'54''$ East, 60.00 feet to the TRUE POINT OF BEGINNING.

PARCEL 1B

The permanent easement and right-of-way for an earth excavation or embankment, slope or slopes and incidents thereto, through, over, under, upon, along and across all that real property described as follows:

That portion of the Southeast Quarter of the Northwest Quarter of Section 35, Township 18 South, Range 2 West, San Bernardino Base and Meridian, according to Official Plat thereof, described as follows:

Commencing at Point "A" of Parcel 1 herein above described; thence North $52^{\circ}51'54''$ West, 408.32 feet to the TRUE POINT OF BEGINNING; thence North $37^{\circ}08'06''$ East, 4.00 feet; thence North $52^{\circ}51'54''$ West, 220.00 feet; thence South $37^{\circ}08'06''$ West, 4.00 feet; thence South $52^{\circ}51'54''$ East, 220.00 feet to the TRUE POINT OF BEGINNING.

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PARCEL 2

That portion of Lots A-177 and A-178 of San Ysidro Addition No. 2 in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 1246, filed in the Office of the Recorder of said San Diego County April 11, 1910, described as follows:

COMMENCING at the most Southerly corner of said Lot A-178; thence North $33^{\circ}55'10''$ East along the Southeasterly line of said Lot A-178 a distance of 20.00 feet more or less to the Northeasterly line of Beyer Boulevard as shown on said map and being 60.00 feet wide, said point being the TRUE POINT OF BEGINNING of the description; thence continuing along said Southeasterly line of Lot A-178, North $34^{\circ}22'49''$ East, 18.00 feet to a point on a curve concave Northeasterly and having a radius of 5,564.46 feet; thence Northwesterly along said curve through a central angle of $5^{\circ}03'30''$ a distance of 232.92 feet; thence South $00^{\circ}44'18''$ West, 22.24 feet to a point on a curve concave Northeasterly and having a radius of 5,582.46 feet; thence Southeasterly along said curve through a central angle of $5^{\circ}03'30''$ a distance of 220.58 feet to the TRUE POINT OF BEGINNING.

PARCEL 3

That portion of Lot A-179 of San Ysidro Addition No. 2, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 1246 filed in the Office of the County Recorder of said San Diego County April 11, 1910 described as follows:

Commencing at the most Southerly corner of said Lot A-179; thence Northeasterly along the Southeasterly line of said Lot A-179 a distance of 20.00 feet more or less to the Northeasterly line of Beyer Boulevard as shown on said map and being 60.00 feet wide, said point being the TRUE POINT OF BEGINNING of the description; thence continuing along said Southeasterly line of Lot A-179, North $32^{\circ}56'14''$ East, 18.00 feet to a point on a curve concave Northeasterly and having a radius of 5,564.46 feet; thence Northwesterly along said curve through a central angle of $01^{\circ}26'35''$ a distance of 140.15 feet; thence South $34^{\circ}22'49''$ West, 18.00 feet to a point on a curve concave Northeasterly and having a radius of 5,582.46 feet; thence Southeasterly along said curve through a central angle of $01^{\circ}26'35''$ a distance of 140.60 feet to the TRUE POINT OF BEGINNING.

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PARCEL 4

That portion of Lot A-180 of San Ysidro Addition No. 2 in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 1246, filed in the Office of the County Recorder of said San Diego County April 11, 1910 described as follows:

COMMENCING at the most Southerly corner of said Lot A-180; thence North $32^{\circ}04'36''$ East along the Southeasterly line of said Lot A-180 a distance of 70.00 feet more or less to the Northeasterly line of Beyer Boulevard as shown on said map and being 60.00 feet wide, said point being the TRUE POINT OF BEGINNING of the description; thence continuing along the Southeasterly line of Lot A-180, North $32^{\circ}04'36''$ East, 18.00 feet; thence North $57^{\circ}55'24''$ West, 58.79 feet to a point on a curve concave Northeasterly and having a radius of 5,564.46 feet; thence Northwesterly along said curve through a central angle of $00^{\circ}51'38''$ a distance of 83.58 feet; thence South $32^{\circ}56'14''$ West, 18.00 feet to a point on a curve concave Northeasterly and having a radius of 5,582.46 feet; thence Southeasterly along said curve through a central angle of $00^{\circ}51'38''$ a distance of 83.84 feet; thence South $57^{\circ}55'24''$ East, 58.79 feet to the TRUE POINT OF BEGINNING.

PARCEL 5

That portion of Lots A-181 and A-182 of San Ysidro Addition No. 2, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 1246, filed in the Office of the County Recorder of said San Diego County April 11, 1910, described as follows:

COMMENCING at the most Southerly corner of Lot A-182 of San Ysidro Addition No. 2, said point being South $32^{\circ}04'36''$ West, 20.00 feet from the Northeasterly line of 60.00 wide Beyer Boulevard as shown on said Map No. 1246; thence North $32^{\circ}04'36''$ East, 38.00 feet; thence North $57^{\circ}55'24''$ West, 100.00 feet to the TRUE POINT OF BEGINNING; thence continuing North $57^{\circ}55'24''$ West, 176.00 feet to the Northwesterly line of Lot A-181 of San Ysidro Addition No. 2; thence along said Northwesterly line, South $32^{\circ}04'36''$ West, 18.00 feet; thence South $57^{\circ}55'24''$ East, 176.00 feet to a point which is South $32^{\circ}04'36''$ West, 18.00 feet from the TRUE POINT OF BEGINNING; thence North $32^{\circ}04'36''$ East, 18.00 feet to the TRUE POINT OF BEGINNING.

PARCEL 6

That portion of Lot A-182 of San Ysidro Addition No. 2, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 1246, filed in the Office of the County Recorder of said San Diego County April 11, 1910; described as follows:

COMMENCING at the most Southerly corner of Lot A-182 of San Ysidro Addition No. 2, said point being South $32^{\circ}04'36''$ West, 20.00 feet from the Northeasterly line of 60.00 foot wide Beyer Boulevard as shown on said Map 1246; thence North $32^{\circ}04'36''$ East along the Southeasterly line of said Lot A-182 a distance of 38.00 feet; thence North $57^{\circ}55'24''$ West, 50.00 feet to the TRUE POINT OF BEGINNING; thence continuing North $57^{\circ}55'24''$ West, 50.00 feet; thence South $32^{\circ}04'36''$ West, 18.00 feet; thence South $57^{\circ}55'24''$ East, 50.00 feet to a point which bears South $32^{\circ}04'36''$ West from the TRUE POINT OF BEGINNING; thence North $32^{\circ}04'36''$ East, 18.00 feet to the TRUE POINT OF BEGINNING.

PARCEL 7

All that portion of Lot A-211, Addition No. 4 to San Ysidro, according to Map thereof No. 1324, filed in the Office of the County Recorder of said County of San Diego, March 28, 1911, more particularly described:

Beginning at the point of intersection of the Northeasterly line of Beyer Boulevard 60 feet wide, with the Westerly line of Cottonwood Road 40 feet wide as said streets are located and established as of the date of this instrument; thence North $57^{\circ}55'24''$ West (Rec North $58^{\circ}23'00''$ West), along said Northeasterly line, a distance of 104.46 feet; thence leaving said Northeasterly line, North $00^{\circ}31'16''$ East, 21.12 feet; thence South $57^{\circ}55'24''$ East, 43.05 feet to the beginning of a non-tangent 660.36 foot radius curve concave Northeasterly; a radial to said point bears South $32^{\circ}04'36''$ West; thence Southeasterly along the arc of said curve, through a central angle of $01^{\circ}12'01''$ an arc length of 14.25 feet to a point of compound curvature with a non-tangent 20.00 foot radius curve concave Northwesterly; thence Southeasterly, easterly, northeasterly and Northerly along the arc of said curve, through a central angle of $120^{\circ}21'19''$, an arc length of 42.01 feet; thence radially South $89^{\circ}28'44''$ East, 10.00 feet to a point in said Westerly line of Cottonwood Road; thence South $00^{\circ}31'16''$ West, 63.18 feet, returning to the Point of Beginning.

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PARCEL 8

That portions of Lot A-217 and Lot A-218 of Addition No. 4, to San Ysidro, according to Map thereof No. 1324, filed in the Office of the County Recorder of said County of San Diego, more particularly described:

PARCEL 8A

Commencing at the intersection of the Northerly line of Beyer Boulevard, 60 feet wide, and the westerly line of North Lane, 30 feet wide, as said streets are located and established as of the date of this instrument; thence westerly along said northerly street line 315.31 feet to the TRUE POINT OF BEGINNING; thence North $00^{\circ}30'15''$ East 21.00 feet; thence South $89^{\circ}34'45''$ East 126.80 feet; thence South $00^{\circ}30'15''$ West 21.00 feet to said Northerly street line; thence westerly along said northerly line 126.80 feet to the TRUE POINT OF BEGINNING.

PARCEL 8B

Commencing at the intersection of the Northerly line of Beyer Boulevard, 60 feet wide, and the westerly line of North Lane, 30 feet wide, as said streets are located and established as of the date of this instrument; thence westerly along said northerly street line 105.15 feet to the TRUE POINT OF BEGINNING; thence continuing westerly along said northerly street line 26.92 feet; thence North $00^{\circ}30'15''$ East 21.00 feet to the beginning of a non-tangent 949.00 foot radius curve, concave Northerly; thence Easterly along the arc of said curve, through a central angle of $01^{\circ}37'21''$, a distance of 26.92 feet; thence South $00^{\circ}30'15''$ West 21.32 feet to the TRUE POINT OF BEGINNING.

PARCEL 9

That portion of Lot A-218 of Addition No. 4 to San Ysidro, according to Map thereof No. 1324, filed in the Office of the County Recorder of said County of San Diego, more particularly described:

Commencing at the intersection of the Northerly line of Beyer Boulevard, 60 feet wide, and the westerly line of North Lane, 30 feet wide, as said streets are located and established as of the date of this instrument; thence westerly along said northerly street line 188.51 feet to the TRUE POINT OF BEGINNING; thence North $00^{\circ}30'15''$ East 21.00 feet; thence South $89^{\circ}34'45''$ East 56.44 feet; thence South $00^{\circ}30'15''$ West 21.00 feet; thence westerly along said Northerly street line 56.44 feet to the TRUE POINT OF BEGINNING.

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PARCEL 10

That portion of Lot A-219 of Addition No. 4 to San Ysidro, according to Map thereof No. 1324, filed in the Office of the County Recorder of said County of San Diego, March 28, 1911, more particularly described:

Commencing at the intersection of the Northerly line of Beyer Boulevard, 60 feet wide, and the westerly line of North Lane, 30 feet wide, as said streets are located and established as of the date of this instrument; thence westerly along said northerly street line 55.08 feet to the TRUE POINT OF BEGINNING; thence continuing westerly along said Northerly street line 50.07 feet; thence North $00^{\circ}30'15''$ East 21.32 feet to a point on a 949.00 foot radius curve, concave northerly; thence easterly along the arc of said curve, through a central angle of $01^{\circ}19'33''$, a distance of 21.95 feet to which point a radial of said curve bears South $2^{\circ}31'49''$ West; thence North $87^{\circ}28'11''$ East 28.14 feet; thence South $00^{\circ}30'15''$ West 21.92 feet to the TRUE POINT OF BEGINNING.

PARCEL 11

That portion of Lot A-219 of Addition No. 4 to San Ysidro, according to Map thereof No. 1324, filed in the Office of the County Recorder of said County of San Diego, March 28, 1911, more particularly described:

Beginning at the intersection of the Northerly line of Beyer Boulevard, 60 feet wide, and the westerly line of North Lane, 30 feet wide, as said streets are located and established as of the date of this instrument; thence westerly along said northerly street line 55.08 feet; thence North $00^{\circ}30'15''$ East 21.92 feet; thence North $87^{\circ}28'11''$ East 21.44 feet to the beginning of a tangent 20.00 foot radius curve, concave Northwesterly; thence Easterly and Northeasterly along the arc of said curve, through a central angle of $86^{\circ}32'19''$, a distance of 30.21 feet; thence South $89^{\circ}04'03''$ East 15.00 feet to said Westerly line of North Lane; thence southerly along said westerly street line 40.80 feet to the Point of Beginning.

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PARCEL 12

That portion of Lots A-220 and A-221 of San Ysidro Addition No. 4 in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 1324, filed in the Office of the County Recorder of said San Diego County March 28, 1911, described as follows:

Commencing at the Southwest corner of Lot A-220 of San Ysidro Addition No. 4, said point being North $00^{\circ}55'52''$ East, 5.36 feet from the centerline of Beyer Boulevard, 60.00 feet wide as shown on said Map No. 1324; thence North $00^{\circ}55'52''$ East, 5.36 feet along the Westerly line of said Lot A-220 to the TRUE POINT OF BEGINNING; thence continuing along said Westerly line a distance of 45.56 feet; thence South $89^{\circ}04'08''$ East, 15.00 feet to a point on a curve concave Northeasterly and having a radius of 20.00 feet; thence Southerly and Southeasterly along the arc of said curve through a central angle of $93^{\circ}27'41''$, a distance of 32.62 feet; thence North $87^{\circ}28'11''$ East, 90.29 feet to a point on a curve concave Southerly and having a radius of 1,051.00 feet; thence Easterly along the arc of said curve through a central angle of $01^{\circ}33'06''$, a distance of 28.46 feet to the Easterly line of Lot A-221; thence along said Easterly line South $00^{\circ}30'15''$ West, 25.68 feet; thence South $88^{\circ}27'07''$ West, 154.91 feet to the TRUE POINT OF BEGINNING.

PARCEL 13

That portion of the South 331.00 feet of the Northeast Quarter of the Southwest Quarter of Section 36, Township 18 South, Range 2 West, San Bernardino Base and Meridian, according to United States Government Survey thereof, approved February 25, 1870, described as follows:

Beginning at the intersection of the Northerly line of Beyer Boulevard, 60.00 feet wide with the Westerly line of that certain strip of land, 50.00 feet in width, known as Otay Mesa Road, as conveyed to the County of San Diego for road purposes by deed from Edward E. Eitel, recorded June 3, 1918 in Book 751, Page 46 of Deeds; thence from said intersecting point North $00^{\circ}26'16''$ East, 45.99 feet to a point on a curve concave Northerly and having a radius of 20.00 feet; thence Southerly and Westerly along the arc of said curve through a central angle of $89^{\circ}58'47''$, a distance of 31.41 feet; thence North $89^{\circ}34'57''$ West, 109.10 feet to a point on a curve concave Southerly and having a radius of 1,051.00 feet; thence Westerly along the arc of said curve through a central angle of $01^{\circ}23'46''$, a distance of 25.61 feet to the Easterly line of Lot A-221 of San Ysidro Addition No. 4, as shown on Map thereof No. 1324, filed in the Office of the County Recorder of San Diego County March 28, 1911; thence along said Easterly line South $00^{\circ}30'15''$ West, 25.68 feet; thence South $89^{\circ}34'57''$ East, 154.92 feet to the Point of Beginning.

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PARCEL 14

That portion of Lot A-5 of San Ysidro, according to Map thereof No. 1174, Sheet No. 1, filed in the Office of the County Recorder of said San Diego County April 10, 1909, described as follows:

Beginning at the Northeast corner of Lot A-5 of San Ysidro, said point being on the Southerly line of Beyer Boulevard, 81.00 feet wide as shown on said Map No. 1174, Sheet No. 1; thence along said Southerly line of Beyer Boulevard, North $89^{\circ}31'44''$ West, 114.68 feet to the Westerly line of said Lot A-5 of San Ysidro; thence along said Westerly line, South $00^{\circ}33'31''$ West, 21.00 feet; thence South $89^{\circ}31'44''$ East, 114.71 feet to the Easterly line of said Lot A-5; thence North $00^{\circ}28'16''$ East, 21.00 feet to the Point of Beginning.

PARCEL 14A

The permanent easement and right of way for an earth excavation or embankment, slope or slopes and incidents thereto, over, under, upon, along and across that portion of Lot A-5 of San Ysidro, according to Map thereof No. 1174, Sheet No. 1 filed in the Office of the County Recorder of said San Diego County April 10, 1909, described as follows:

Commencing at the Northeast corner of Lot A-5 of San Ysidro, said point being on the Southerly line of Beyer Boulevard, 81.00 feet wide as shown on said Map No. 1174, Sheet No. 1; thence South $00^{\circ}28'16''$ West, along the Easterly line of said Lot A-5 a distance of 21.00 feet to the TRUE POINT OF BEGINNING; thence continuing South $00^{\circ}28'16''$ West, 10.00 feet; thence North $89^{\circ}31'44''$ West, 114.71 feet to the Westerly line of said Lot A-5; thence Northerly along said Westerly line a distance of 10.00 feet; thence South $89^{\circ}31'44''$ East, 114.71 feet to the TRUE POINT OF BEGINNING.

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PARCEL 15

That portion of the Northerly 211.00 feet of Lot A-4 of San Ysidro, according to Map thereof No. 1174, filed in the Office of the County Recorder of said San Diego County on April 10, 1909, described as follows:

Beginning at the Northeast corner of Lot A-4 of San Ysidro, said point being on the Southerly line of Meyer Boulevard, 81.00 feet wide as shown on said Map No. 1174; thence along said Southerly line of Meyer Boulevard, North $89^{\circ}31'44''$ West, 64.68 feet; thence South $00^{\circ}33'31''$ West, 21.00 feet; thence South $89^{\circ}31'44''$ East, 64.68 feet to the Easterly line of said Lot A-4 of San Ysidro; thence along said Easterly line, North $00^{\circ}33'31''$ East, 21.00 feet to the Point of Beginning.

PARCEL 15A

The permanent easement and right of way for an earth excavation or embankment, slope or slopes and incidents thereto, over, under, upon, along and across that portion of the Northerly 211.00 feet of Lot A-4 of San Ysidro, according to Map thereof No. 1174 filed in the Office of the County Recorder of said San Diego County on April 10, 1909, described as follows:

Commencing at the Northeast corner of Lot A-4 of San Ysidro, said point being on the Southerly line of Meyer Boulevard, 81.00 feet wide as shown on said Map No. 1174; thence Southerly along the Easterly line of said Lot A-4, South $00^{\circ}33'31''$ West, 21.00 feet to the TRUE POINT OF BEGINNING; thence continuing South $00^{\circ}33'31''$ West, 10.00 feet; thence North $89^{\circ}31'44''$ West, 64.68 feet; thence North $00^{\circ}33'31''$ East, 10.00 feet; thence South $89^{\circ}31'44''$ East, 64.68 feet to the TRUE POINT OF BEGINNING.

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PARCEL 16

That portion of Lot A-4 of San Ysidro, according to Map thereof No. 1174, filed in the Office of the County Recorder of said County of San Diego, April 10, 1909, more particularly described:

Beginning at the northwesterly corner of said Lot A-4; thence easterly along the northerly line of said lot, being along the southerly line of Beyer Boulevard, 81.00 feet wide, 50.02 feet; thence South $00^{\circ}33'31''$ West, 21.00 feet; thence North $89^{\circ}31'44''$ West 38.08 feet to the beginning of a tangent 1051.00 foot radius curve, concave northerly; thence westerly along the arc of said curve, through a central angle of $00^{\circ}39'03''$, a distance of 11.94 feet to the westerly line of said lot; thence northerly along said westerly lot line 20.93 feet to the Point of Beginning.

PARCEL 16A.

The permanent easement for a right of way for an earth excavation or embankment, slope or slopes and incidents thereto, through, over, under, upon, along and across the following described property:

A strip of land 10.00 feet wide, lying contiguous southerly to the southerly line of the above described Parcel 16; excepting from said 10.00 foot strip to the southerly 3.00 feet of the westerly 7.00 feet thereof.

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PARCEL 17

Those portions of Lots A-2 and A-3 of San Ysidro, according to Map thereof No. 1174, filed in the Office of the County Recorder of said County of San Diego, April 10, 1939, more particularly described:

Beginning at the northeasterly corner of said Lot A-3; thence westerly along the northerly line of said Lots A-3 and A-2, being along the southerly line of Beyer Boulevard, 81.00 feet wide, 139.69 feet; thence South $00^{\circ}26'16''$ West 37.54 feet to the beginning of a non-tangent 20.00 foot radius curve, concave southeasterly; thence northeasterly and easterly along the arc of said curve, through a central angle of $91^{\circ}49'24''$, a distance of 32.05 feet; thence South $87^{\circ}44'20''$ East 94.17 feet to the beginning of a tangent 1091.00 foot radius curve, concave northerly; thence easterly along the arc of said curve, through a central angle of $01^{\circ}03'21''$ a distance of 20.89 feet to the easterly line of said Lot A-3; thence northerly along said easterly lot line 20.93 feet to the Point of Beginning.

PARCEL 17A

The permanent easement for a right of way for an earth excavation or embankment, slope or slopes and incidents thereto, through, over, under, upon, along and across the following described property:

A strip of land 7.00 feet wide, lying contiguous southerly to that portion of the above described Parcel 1 lying within said Lot A-3.

Excepting from said 7.00 foot strip of land to the southerly 2.00 feet of the westerly 94.17 feet thereof.

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PARCEL 18

That portion of Lots A-85, A-1 and the West 45.35 feet of Lot A-2 of San Ysidro, according to Map thereof No. 1174, filed in the Office of the County Recorder of said San Diego County, April 10, 1909, described as follows:

Beginning at the Northeast corner of the West 45.35 feet of Lot A-2 of San Ysidro, said point being an intersecting point of the Southerly line of Beyer Boulevard, 60.00 feet wide and the Westerly line of West Park Avenue, 58.00 feet wide as shown on said Map No. 1174; thence North $89^{\circ}34'57''$ West, along said Southerly line of Beyer Boulevard, a distance of 159.28 feet; thence continuing along said Southerly line South $88^{\circ}27'07''$ West, a distance of 124.69 feet to the Northwest corner of Lot A-85 as shown on said Map No. 1174; thence Southerly along the Westerly line of said Lot A-85; South $00^{\circ}30'30''$ West, 18.18 feet; thence North $87^{\circ}28'11''$ East, 101.19 feet to a point on a curve concave Southerly and having a radius of 949.00 feet; thence Easterly along the arc of said curve through a central angle of $02^{\circ}56'52''$ a distance of 48.82 feet; thence South $89^{\circ}34'57''$ East, 114.04 feet to a point on a curve concave Southwesterly and having a radius of 20.00 feet; thence Southeasterly along the arc of said curve through a central angle of $90^{\circ}01'13''$ a distance of 31.42 feet to an intersection with the Westerly line of West Park Avenue as shown on Map No. 1174; thence Northerly along said Westerly line, North $00^{\circ}25'03''$ East, 36.01 feet to the Point of Beginning.

PARCEL 18A

The permanent easement and right of way for an earth excavation or embankment, slope or slopes and incidents thereto, over, under, upon, along and across all that real property.

That portion of Lot A-85 of San Ysidro, according to Map thereof No. 1174, filed in the Office of the County Recorder of said San Diego County April 10, 1909, described as follows:

Commencing at the Northwest corner of Lot A-85 of San Ysidro, said point being on the Southerly line of Beyer Boulevard, 60.00 feet wide as shown on said Map No. 1174; thence Southerly along the Westerly line of said Lot A-85, South $00^{\circ}30'30''$ West, 18.18 feet to the TRUE POINT OF BEGINNING; thence continuing South $00^{\circ}30'30''$ West, 8.00 feet; thence North $87^{\circ}28'11''$ East, 101.19 feet; thence North $02^{\circ}31'49''$ West, 8.00 feet; thence South $87^{\circ}28'11''$ West, 101.19 feet to the TRUE POINT OF BEGINNING.

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PARCEL 19

That portion of Lot A-82 and the East 36.00 feet of Lot A-81 of San Ysidro, lying North of the right of way of the San Diego and Arizona Railway Company, according to Map thereof No. 1174, filed in the Office of the County Recorder of said San Diego County, April 10, 1909, described as follows:

Beginning at the intersection of the Easterly line of said Lot A-82 of San Ysidro with the Southerly line of Beyer Boulevard, 60.00 feet wide as shown on said Map No. 1174; thence Westerly along said Southerly line of Beyer Boulevard, North $89^{\circ}34'45''$ West, 160.00 feet; thence South $00^{\circ}30'30''$ West, 21.00 feet; thence South $89^{\circ}34'45''$ East, 160.00 feet to the Easterly line of said Lot A-82 of San Ysidro; thence Northerly along said Easterly line, North $00^{\circ}30'30''$ East, 21.00 feet to the Point of Beginning.

PARCEL 19A

The permanent easement and right of way for an earth excavation or embankment, slope or slopes and incidents thereto, over, under, upon, along and across all that real property.

That portion of Lot A-82 and the East 36.00 feet of A-81 of San Ysidro, lying North of the right of way of the San Diego and Arizona Railway Company, according to Map thereof No. 1174, filed in the Office of the County Recorder of said San Diego County, April 10, 1909, described as follows:

Commencing at the intersection of the Easterly line of said Lot A-82 of San Ysidro with the Southerly line of Beyer Boulevard, 60.00 feet wide as shown on said Map No. 1174; thence Southerly along said Easterly line of Lot A-82, South $00^{\circ}30'30''$ West, 21.00 feet to the TRUE POINT OF BEGINNING; thence continuing along said Easterly line, South $00^{\circ}30'30''$ West, 8.00 feet; thence North $89^{\circ}34'45''$ West, 8.00 feet; thence North $00^{\circ}30'30''$ East, 2.00 feet; thence North $89^{\circ}34'45''$ West, 152.00 feet to the Westerly line of the Easterly 36.00 feet of Lot A-81 of San Ysidro; thence Northerly along said Westerly line, North $00^{\circ}30'30''$ East, 6.00 feet; thence South $89^{\circ}34'45''$ East, 160.00 feet to the TRUE POINT OF BEGINNING.

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PARCEL 20

That portion of Lots A-79, A-80 and A-81 of San Ysidro, lying North of the right of way of the San Diego and Arizona Railway Company in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 1174, filed in the Office of the County Recorder of said San Diego County, April 10, 1909, described as follows:

Beginning at the intersection of the Westerly line of the Easterly 36.00 feet of Lot A-81 of San Ysidro with the Southerly line of Beyer Boulevard, 60.00 feet wide as shown on said Map No. 1174; thence Westerly along said Southerly line of Beyer Boulevard, North $89^{\circ}34'45''$ West, 159.56 feet to a point on a curve concave Northerly and having a radius of 430.00 feet; thence Westerly along the arc of said curve through a central angle of $09^{\circ}35'24''$ a distance of 71.97 feet to its intersection with another curve concave Northerly and having a radius of 770.34 feet; thence Easterly along the arc of said curve through a central angle of $15^{\circ}12'57''$ a distance of 204.58 feet; thence South $89^{\circ}34'45''$ East, 28.98 feet to the Westerly line of the Easterly 36.00 feet of said Lot A-81; thence Northerly along said Westerly line, North $00^{\circ}30'30''$ East, 21.00 feet to the Point of Beginning.

PARCEL 20A

An easement and right of way for earth embankment, slope or slopes, over, under, along and across that portion of Lots A-79, A-80 and A-81 of San Ysidro, lying North of the right of way of the San Diego and Arizona Railway Company in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 1174, filed in the Office of the County Recorder of said San Diego County, April 10, 1909, described as follows:

Commencing at the intersection of the Westerly line of the Easterly 36.00 feet of Lot A-81 of San Ysidro with the Southerly line of Beyer Boulevard, 60.00 feet wide as shown on said Map No. 1174; thence Southerly along said Westerly line of the Easterly 36.00 feet of Lot A-81, South $00^{\circ}30'30''$ West 21.00 feet to the TRUE POINT OF BEGINNING; thence continuing South $00^{\circ}30'30''$ West 6.00 feet; thence North $89^{\circ}34'45''$ West, 2.59 feet; thence South $00^{\circ}25'15''$ West 24.00 feet; thence North $89^{\circ}34'45''$ West, 15.00 feet; thence North $00^{\circ}25'15''$ East, 24.00 feet; thence North $89^{\circ}34'45''$ West, 11.39 feet to a point on a curve concave Northerly and having a radius of 776.34 feet; thence Westerly along the arc of said curve through a central angle of $15^{\circ}12'16''$ a distance of 206.02 feet; thence North $15^{\circ}38'12''$ East, 8.00 feet to a point on a curve concave Northerly and having a radius of 770.34 feet; thence Easterly along the arc of said curve through a central angle of $15^{\circ}12'57''$ a distance of 204.58 feet; thence $89^{\circ}34'45''$ East, 28.98 feet to the TRUE POINT OF BEGINNING.

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PARCEL 21

HEREBY GRANTS to the City of San Diego, a municipal corporation, in the County of San Diego, State of California, the permanent easement for a right of way for an earth excavation or embankment, slope or slopes, and incidents thereto, through, over, under, upon, along and across all that real property, together with the permanent easement and right of way to construct, reconstruct, maintain, operate and repair a storm drain or drains, including any or all appurtenances thereto, together with the right of ingress and egress, over, under, along and across all that portion of the Northwest Quarter, the Northeast Quarter and the Southeast Quarter of Section 35, Township 18 South, Range 2 West, San Bernardino Base and Meridian, according to Official Plat thereof, more particularly described as follows:

PARCEL 21A - SLOPE

Commencing at the Southwest corner of the North Half of the South Half of the Northeast Quarter of the Northwest Quarter of Section 35, Township 18 South, Range 2 West, San Bernardino Base and Meridian; thence North $00^{\circ}35'47''$ East, 152.60 feet to the Southwesterly line of Beyer Boulevard as shown on said map; thence retracing South $00^{\circ}35'47''$ West to a point on the Northeasterly located line of the San Diego and Arizona Railway being 100.00 feet wide as shown on said map thereof filed in the Office of the County Clerk of San Diego County on April 19, 1909, in an action entitled San Diego and Arizona Railway vs. Valentine Tavan et al, said point also being South $00^{\circ}35'47''$ West from the Southwesterly line of Beyer Boulevard as shown on said map and being the TRUE POINT OF BEGINNING; thence Southeasterly along the Northeasterly line of said 100.00 foot strip and the Southwesterly line of Beyer Boulevard to its intersection with the Southerly prolongation of the Easterly line of Lot A-185 of San Ysidro, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 1246; thence Southwesterly along said prolonged line a distance of 3.00 feet; thence North $57^{\circ}55'24''$ West, 150.00 feet; thence South $32^{\circ}04'36''$ West, 2.00 feet; thence North $57^{\circ}55'24''$ West, 106.00 feet; thence South $32^{\circ}04'36''$ West, 15.00 feet; thence North $59^{\circ}18'14''$ West, 222.50 feet to a point hereby designated "Point Y"; thence North $57^{\circ}55'24''$ West, 15.00 feet; thence North $32^{\circ}04'36''$ East, 15.00 feet; thence North $57^{\circ}55'24''$ West, 257.48 feet; thence South $32^{\circ}04'36''$ West, 10.00 feet to a point on a curve concave Northerly and having a radius of 5,662.46 feet; thence Northwesterly along the arc of said curve through a central angle of $05^{\circ}03'30''$ a distance of 499.91 feet; thence

North 37°08'06" East, 17.00 feet; thence North 52°51'54" West, 311.91 feet; thence South 37°08'06" West, 4.00 feet; thence North 52°51'54" West, 440.00 feet; thence South 37°08'06" West, 3.00 feet; thence North 52°51'54" West, 295.00 feet; thence North 52°51'54" West, 400.00 feet; thence South 37°08'06" West, 10.00 feet; thence North 52°51'54" West, 385.64 feet to a point hereby designated "Point X"; thence South 37°08'06" West, 15.00 feet; thence North 52°51'54" West, 55.00 feet; thence North 37°08'06" East, 15.00 feet; thence North 52°51'54" West, 759.36 feet; thence North 37°08'06" East, 17.00 feet; thence North 52°51'54" West, 260.00 feet; thence South 37°08'06" West, 5.00 feet; thence North 52°51'54" West, 374.90 feet; thence North 37°08'06" East, 5.00 feet; thence North 52°51'54" West, 76.06 feet; thence North 00°35'47" East, 3.73 feet to the TRUE POINT OF BEGINNING.

PARCEL 21B - SLOPE

Beginning at the most westerly corner of Lot A-79 of Little Landers Subdivision of San Ysidro, according to map thereof No. 1174 filed in the Office of the County Recorder of said County of San Diego, being also a point on the Northeasterly line of the San Diego and Arizona Eastern Railway Company right of way, 100.00 feet wide; thence Northwesterly along said right of way line, 115.00 feet; thence Southwesterly at right angles to said right of way line, 8.00 feet; thence Southeasterly along a line parallel with said right of way line, 115.00 feet to the beginning of a tangent 438-foot radius curve, concave Northeasterly; thence Southeasterly along the arc of said curve to an intersection with said right of way line; thence Northwesterly along said right of way line to the point of beginning.

PARCEL 21C - DRAIN

Beginning at "Point X" as set out in Parcel 1, above; thence South 37°08'06" West 15.00 feet; thence North 52°51'54" West 55.00 feet; thence North 37°08'06" East 35.00 feet; thence South 52°51'54" East 55.00 feet; thence South 37°08'06" West 20.00 feet to the point of beginning.

PARCEL 21D - DRAIN

Beginning at "Point Y" as set out in Parcel 1, above; thence North 57°55'24" West 15.00 feet; thence North 32°04'36" East 25.00 feet; thence South 57°55'24" East 15.00 feet; thence South 32°04'36" West 25.00 feet to the point of beginning.

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Section 5. That the taking and acquiring by said City of the real property and easements hereinabove described are deemed necessary for the construction, operation and maintenance of a public street and incidents thereto, together with certain earth excavations, embankments, slope or slopes and a storm drain or drains and appurtenances thereto by The City of San Diego and the inhabitants thereof, for municipal purposes; that such uses are public uses authorized by law (Section 220, Charter of The City of San Diego; Sections 1240.010, 1240.110, 1240.120 and 1255.410, Code of Civil Procedure; Section 4090, Streets and Highways Code; Section 40404(b), Government Code; and Section 5301, Public Resources Code) that for such public uses it is necessary that The City of San Diego condemn and acquire said real property and easements; that said real property and easements are to be used for the construction, operation and maintenance of a public street and incidents thereto, together with certain earth excavations, embankments, slope or slopes and a storm drain or drains and appurtenances thereto which are planned and located in a manner most compatible with the greatest public good and the least private injury.

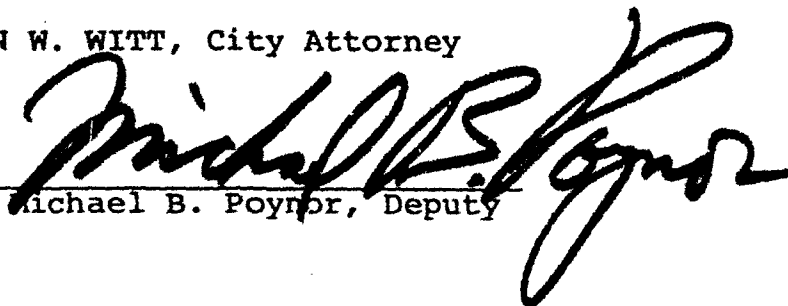
Section 6. That the City Attorney of The City of San Diego be, and he is hereby authorized and directed to commence an action in the Superior Court of the State of California, in and for the County of San Diego, in the name

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and on behalf of The City of San Diego, against all owners and claimants to an interest in the above-described real property, for the purpose of condemning and acquiring the fee interests and easements as above-described, for the use of said City.

APPROVED: JOHN W. WITT, City Attorney

By


Michael B. Poyner, Deputy

MBP:lc
10/27/76
Or.Dept.:Property

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Passed and adopted by the Council of The City of San Diego on _____
by the following vote:

JAN 11 1977

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Tom Gade	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joel M. Strobl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

EDWARD NIELSEN

City Clerk of The City of San Diego, California.

By Kathleen Martinez, Deputy.

(Seal)

1977 DEC 11 11 2 43
San Diego, California

Office of the City Clerk, San Diego, California

Resolution
Number

217465

Adopted

JAN 11 1977

CC-1276 (REV. 12-75)

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MAY 31 1978